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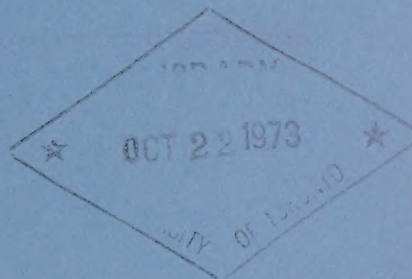
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Government
Publications

[47-15] Summary of

THRESHOLD OF CHANGE 2: LOCAL GOVERNMENT

[General publications]




Haldimand-Norfolk Study

summary prepared by
Local Government Organization Branch,
Ministry of Treasury, Economics and
Intergovernmental Affairs

Ontario, July 1973

This is a summary of the final report on local government of the Haldimand-Norfolk Study. The opinions and recommendations in it are those of the Study Director: they do not necessarily reflect the views or intentions of the Government of Ontario.

This summary was prepared under the auspices of the Local Government Organization Branch of the Ministry of Treasury, Economics and Intergovernmental Affairs by Karin Lenman of the Ministry's Office of Information Services and with the advice of Nigel Richardson, author of the report.



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Summary of

THRESHOLD OF CHANGE 2: LOCAL GOVERNMENT

Other parts of Ontario in which local government reviews have been undertaken can expect more or less rapid growth; but none faces the radical transformation in prospect for Haldimand-Norfolk.

At present it is a largely agricultural area of flat or gently rolling farmland and forest, with a scattering of small urban communities and a population 60 per cent rural. The largest town in the two counties, Simcoe, has a population of about 11,000.

It seems now, however, that this situation is about to change. The emergence of the Nanticoke industrial complex, which will include a steel mill, a large industrial park, an Ontario Hydro generating station and an oil refinery, suggests that the last quarter of the 20th century will see a large-scale shift of manufacturing and population to the tranquil farmlands along the Lake Erie shore. From a total of about 84,000, less than 34,000 of them urban, the population of Haldimand-Norfolk will grow to more than 320,000, over a quarter of a million of them urban, by the end of this century. There will probably be a town the size of present-day Kitchener-Waterloo.*

*For details, see the Haldimand-Norfolk Study's report on planning, Threshold of Change 1: Land and Development.

The present municipal structure of the area has not been changed fundamentally since the Baldwin Act of 1849 which established what is still the prevalent municipal system in Ontario. The internal structure of towns, villages and townships has not been altered, nor, in general, has the mode of government and the authority it exercises. The most notable change has been the multitude of appointed local boards and commissions that have been tacked onto the basic structure. These cover an almost bewildering variety of jurisdictions and responsibilities.

In considering possible changes in the traditional structure of local government, it is necessary to take into account a number of different factors.

The viability and efficiency of any form of local government must be seen against the regional context in which it will perform, not just against the internal circumstances of its own area. Haldimand-Norfolk, although largely bypassed by industrial and urban growth, is nevertheless surrounded by areas that now make up the "industrial heartland" of Ontario--London, Hamilton, Brantford, Kitchener-Waterloo, Niagara Falls, and, farther east, Toronto. This urban-industrial complex is now expanding to include Haldimand-Norfolk, and a reformed government for the two counties will have to be capable of meeting new responsibilities as part of this larger region.

Another aspect of the regional context is the provincial policies and programmes currently being carried out in and around the Haldimand-Norfolk area. The main ones are the regional planning programme of the Ministry of Treasury, Economics and Intergovernmental Affairs and the various local government restructuring programmes or studies. Design for Development, Phase Three, made Haldimand-Norfolk part of the Central Ontario Planning Region, together with the rest of the "industrial heartland" mentioned above.

Local government activities in the area include the establishment of the Regional Municipalities of Niagara (1970), Waterloo (1973) and Hamilton-Wentworth (effective 1974). A local government study has been completed in Oxford County and another is still under way in Brant County.

So far, the general approach to local government reform in southern Ontario is in effect the re-creation of pre-existing counties (singly or in combination) as "regional municipalities", involving:

1. the reintegration of cities and separated towns;
2. the retention of two tiers (regional and local) but with regional councils holding greater responsibilities than the old county councils;
3. consolidation of local municipalities into larger units.

In addition to the regional planning and local government reorganization programmes, the provincial government has carried out, or is conducting, a number of studies relating to specific services (e.g., health, water and sewerage, transportation) for areas which include Haldimand-Norfolk.

Another factor to be considered in restructuring local government in Haldimand-Norfolk is social change. We are living in a world of rapid and sometimes radical social and technological change. These circumstances necessarily confront municipal government with conditions and problems with which it has not had to cope in the past. Also, people's attitudes towards government and society, and their expectations of government, are changing swiftly and will continue to do so. In Haldimand-Norfolk this process will be accelerated by the influx of newcomers whose ideas and values may be significantly different from those of the "established" population. It would be folly to design a new system of local government on the assumption that the nature and emphasis of its responsibilities will be those to which it has traditionally been accustomed.

Nevertheless, local ways, values and attitudes must be a most important consideration. One of the Study group's main concerns was to discover how far people in the area identify themselves with the particular locality, municipality, or county in which they live--how important is it to them in psychological terms. In general the answer seemed to be that it is quite important. The idea of radical reorganization of the historic municipal structure is widely viewed with suspicion and often with outright hostility. But this is not universally true: many recognize that the destinies of the two counties will

be closely linked and acceptance of the idea of change, even to the point of political union, seems fairly widespread, subject to a variety of reservations. However, few people really comprehend the extent of the implications of these changes, or the complete inadequacy of the present local government system to deal with them.

Principles and Objectives

With all the foregoing factors in mind, local government reform in Haldimand-Norfolk should be based as far as possible on the following 12 principles.

1. Any changes in the system should take account both of the needs of the present and the immediate future, and of the needs of the more distant future as far as these can be foreseen.
2. Municipal government must have the financial and human resources, and the geographical scope, to provide a reasonable range of services effectively and efficiently, and to assume new responsibilities, probably including some now exercised by the province. If local government does not have sufficient resources, "local democracy" is a sham, a facade behind which the real authority is exercised by the province.
3. The geographical structure of municipal government should as far as possible reflect actual relationships and differences--physical, economic and social. Municipal boundaries should not, in other words, be purely arbitrary but should relate to some kind of identity or "community of interest".
4. The scale of municipal government should be comprehensible and its structure and processes as clear as possible to the citizen. The locus of responsibility should be well defined and not diffused or obscured.

5. Municipal government should retain its essential role as the vehicle of local democracy--by being structured so that it is as accessible as possible to the citizen and as responsive as possible to particular local needs and circumstances. In this principle, together with no. 2, lies the very essence of municipal government. If they are not maintained, municipal government loses any real validity and would better be abolished altogether.
6. A new local government structure should be compatible with wider regional administrative structures and with adjacent municipal organization and reorganization, and consistent with the role and functions of the Haldimand-Norfolk area in its geographical context.
7. A new local government should be capable of dealing with the provincial government from a position of strength. Municipalities are and must remain the "creatures of province" but if they are too weak to deal effectively with Queen's Park, democracy will suffer.
8. Because major services are very much interrelated, as many of them as possible should be administered by a single authority to ensure full co-ordination. This applies particularly to physical services--planning, water supply, sewage disposal--but does not exclude personal services--public health, welfare, police protection.
9. The structure of municipal government should permit different areas to have some choice in the level of services with which they are supplied and for which they are required to pay. Some (e.g. police protection) must be provided throughout; others (e.g. sidewalks) need be provided only where there is demand. In the latter case, only those receiving such services should be required to pay for them.
10. Municipal government should be flexible and capable of dealing with rapid change. It should be able to accommodate to new tasks and new kinds of problems, including those arising from social and technological change.

11. The reform of municipal government should not depart unnecessarily from historic identities, traditions and loyalties. Also, it should be acceptable to the public as far as this is consistent with practical requirements.
12. Municipal government should offer the greatest possible range of opportunities for public participation in the activities for which it is responsible.

These 12 principles are by no means entirely compatible with each other. No system of local government would ever be able to meet all of them completely. The first five, however, must be regarded as indispensable to good municipal government.

The Proposed Structure

Because of the tremendously rapid rate of growth expected for the area, no new local government structure is likely to be well suited both to the needs and conditions of the immediate future, and to those which will follow later on. It is therefore strongly recommended that a new review take place after perhaps ten years to determine what further changes may be needed, and the local government structure that is described below is recommended on the explicit assumption that this second review will be undertaken. This structure, to be regarded therefore only as a first stage, is a fairly conventional two-tier regional government.

The Counties of Haldimand and Norfolk should be combined into a single two-tier regional municipality comprising six local municipalities. The external boundaries in general should follow the present county boundaries. Some alterations, however, are desirable: the Caledonia area should be detached and joined to the Regional Municipality of Hamilton-Wentworth; the part of the Six Nations Reserve in Haldimand should be joined to Brant (subject to consultation with the Band Council); and the part of Norfolk County adjacent to Tillsonburg should be joined to Oxford County.

Two other changes that might be considered are the separation of the westernmost municipalities of Norfolk to join their neighbours in Oxford and Elgin, and the transfer to Brant of a strip along the northern boundary of Norfolk. The former should be conditional on the wishes of the municipalities concerned, and the latter would depend on the recommendations of the Brant Local Government Review. Neither of these changes, therefore, is to be regarded as a recommendation of this report.

The six local municipalities should be constituted as follows, allowing for the recommended boundary changes (see map):

1. West Norfolk, consisting of the Townships of Houghton, Middleton, and North and South Walsingham, and the Village of Port Rowan.
2. Central Norfolk, consisting of the Townships of Charlotteville and Windham and the Town of Delhi.
3. Nanticoke Creek, consisting of the Townships of Townsend, Walpole and Woodhouse, the Towns of Port Dover and Waterford, and the Village of Jarvis.
4. Simcoe, consisting of the Town of Simcoe and some of its surrounding area.
5. Central Haldimand, consisting of the Townships of Oneida, Seneca, North and South Cayuga, and Rainham, and the Villages of Cayuga and Hagersville.
6. East Haldimand, consisting of the Townships of Canborough, Dunn, Moulton, Sherbrooke, and the Town of Dunnville.

The names applied to these municipalities are used merely for convenience. No recommendation is made, either, for a name for the new regional municipality, although "The Regional Municipality of Haldimand-Norfolk" is a cumbersome term, and shorter alternatives might be considered. Choice of the name might best be left to the Joint Study Committee.

No recommendation is made for a separate municipal status for the proposed Woodhouse New Town. Its management for some time at least would be the responsibility of the Crown corporation set up to oversee its development, and for the present it should merely form part of the municipality of Nanticoke Creek.

Responsibilities and Functions

There are a number of considerations in attempting to divide responsibilities between upper and lower tiers. A particular task may be regional or local depending on whether its scope is regional or local. Unfortunately, the distinction is not always clear: garbage collection is clearly a local matter, but a public library can be either regional or local or both. Also, a responsibility should lie at the level that can exercise it most efficiently. There cannot, however, be a completely hard and fast line between regional and local responsibilities. There must be some flexibility, some integration and some sharing.

The imperative need in Haldimand-Norfolk, however, is for strong central planning and control of development in view of the forthcoming pressures on land. If planning is to be carried out as efficiently and effectively as possible, then the main instruments of development--transportation, water supply and distribution, sewage disposal, and the promotion of economic growth--must be under the control of the authority responsible for planning, and physical planning must be in turn closely integrated with financial planning and budgeting. The only way to achieve a strong centralized planning programme in Haldimand-Norfolk is to place this authority entirely in the hands of the regional council, together with responsibility for most of the instruments on which effective planning depends.

The principal responsibilities of the regional council, therefore, should include taxation, tax billing, capital borrowing, planning, piped services, main roads, garbage disposal, housing, conservation, building and related by-laws and standards, police, health and social services, and public information.

The principal responsibilities of the local councils should include election administration, electricity supply, street cleaning and garbage collection, land drainage, local roads and streets, parking, fire protection, libraries, and control of nuisances.

Some responsibilities should be held by both regional and local councils, notably administration generally, financial planning and budgeting, public transportation, and parks, community and recreation centres, museums and recreation programmes.

(For a more detailed breakdown of division of responsibilities see Appendix 1.)

In planning matters local councils should have the right to be heard. Regional council should be required to give notice of its intent in planning matters that affect a local municipality. The opinions of the local council should be passed on to the Minister in the case of the official plan and amendments, or to the Municipal Board in the case of by-law applications.

Representation

A local council should consist at first of a mayor, reeve (deputy mayor) and six councillors, with an additional councillor (regional councillor) for every 5,000 people over a base population of either 15,000 or 20,000 (alternatives A and B in Appendix 2). The regional council should consist of each mayor, reeve and additional or regional councillor.

In keeping with the practice in other newly formed regional governments, the first chairman of the regional council should be appointed by the provincial government, with subsequent chairmen elected by council.

The appointment of a Regional Chairman and the election of the new councils should take place as soon as possible after the passage of legislation. This would allow an early start on the appointment of key personnel and the setting up of an administrative framework.

Boards and Commissions

Although there can be no doubt that most boards and commissions have performed important work and performed it well, there are telling drawbacks to a system that delegates much responsibility to non-elected bodies. The proliferation of boards and commissions tends to erode the power of local councils sometimes to the point where council is but an arbiter among a number of competing claimants for the tax dollar. It can be argued, too, that non-elected bodies should not have the right to spend large sums of public money, for they cannot be held accountable.

Generally, as has been the case in other regional municipalities, special-purpose local boards and commissions in Haldimand-Norfolk should be abolished and their responsibilities turned over to the regional or local councils. In particular, there should be no police commission, and the responsibilities of the Haldimand-Norfolk Board of Health should be directly assumed by regional council, and those of the public utility commissions (apart from the supply of electricity) by the local councils.

Urban Service Districts and Urban Boards

When the six new local municipalities are established, five of them will be largely rural. Within these rural municipalities, however, will be about two dozen urban places ranging from hamlets, like Teeterville, to Dunnville, with over 5,000 people. The inhabitants of these places will need and want some services which the rest of their municipality will not. To make it possible for these to be provided and to ensure that only the users pay for them, the urban places should be designated "urban service districts" with elected "urban boards". The urban boards would petition the local or regional council for the service needed or desired; council would provide the service subject to an agreed cost-sharing arrangement between the urban board and the municipality, the locality's share being financed on a local improvement basis.

The urban board is not intended in any way to diminish the rights and responsibilities of councils. It should be regarded principally as a method of adjusting municipal services (and taxes) to the specific needs, wants and circumstances of individual communities, though it could, and should, also serve as a channel of communication between local residents and their councils.

The urban board concept is open to a number of objections. It could be argued that they would in fact constitute a third level of government, or that they might demand full municipal status; and that they would perpetuate the competition for assessment. However, as local government becomes larger in scale there must be effective means at the community level whereby citizens can satisfy their own particular needs and collectively bring issues and problems to their municipal councils. Experience has shown that if there is no institutional means to do this, the result is likely to be growing discontent and ultimately "citizen action" outside the institutional framework.

Basic Administrative Structure

As early as possible, regional council should appoint the following professionally qualified chief administrative officers as department heads:

Clerk-Treasurer	Director of Social Services
Director of Planning	Medical Officer of Health
Director of Public Works	Chief of Police

The Clerk-Treasurer, the Director of Planning and the Director of Social Services should constitute a Committee of Administration to assist council by clarifying issues, dealing with matters of administrative detail, and in general relieving council of everything but those matters with which it should properly be concerned. As the population grows the number of departments might have to increase to eight or ten fairly soon. At that time they should be grouped under three general areas of responsibility: Administration and Finance; Planning and Development; and Social Development.

Committees of council should be kept to a minimum. One council committee for each of the three general areas of responsibility would be appropriate, and these committees should be set up right at the beginning in anticipation of the ultimate departmental structure.

Decentralization and Public Information

Local government should be comprehensible and accessible to the ordinary citizen. Unfortunately, the two-tier structure is inherently not simple, and in a region of 1,100 square miles accessibility is inevitably also a problem. These problems can be overcome to a large extent by two related devices: decentralization, and public information.

Not every regional function can or need be decentralized. But sub-regional offices should be established for those functions which most commonly require the public to deal with the regional administration; for example, issuing licences, receiving tax payments, dealing with blocked sewers, administering welfare, and the like.

A citizen's information service should consist of an information desk at each regional and sub-regional office, staffed during office hours by a person able to give complete information about services available from both levels of municipal government. A toll-free number would make the service available to the whole regional municipality.

Finance

Estimates of the "cost of regional government" were repeatedly demanded at the public meetings conducted during the study. This is not really possible because most of the programmes and administrative machinery which will have to be financed will be determined by the new regional and local councils after the new system comes into effect.

In principle, however, one of the main reasons for modernizing local government in Ontario is the deficiencies of the present financial arrangements. The creation of larger budgeting units (municipalities) can substantially ameliorate the local inequities that now exist by bringing more of the development and "tax base" into one jurisdiction. For a long time, though, municipal tax revenues will lag behind the demand for municipal services. The financial stability of the new region, therefore, may be much more heavily dependent initially on additional provincial transfer payments than in other regional municipalities which do not have to cope with such rapid and radical changes.

In the future industry will become a larger component of the total tax base. With regional government as the main recipient of municipal funds, everyone within the region will benefit substantially from economic growth. Local municipalities will not be compelled to compete with one another for tax revenues.

Although services which benefit a particular area should be paid for only by those who receive them, the charges should not vary according to accidental conditions such as geographical location. For example, all communities serviced by a regional trunk sewerage system should pay a uniform rate even though it may cost more to service one community than it does another.

Because much money will have to be borrowed to finance services for an as yet non-existent population, consideration must be given to long-term borrowing so that those who will benefit may also pay their share.

Allocating its limited funds between its own priorities and those of the local municipalities will be a problem for the regional council. Therefore, regional council should have the exclusive authority to allocate its borrowing between its own needs and those of the local municipalities. The OMB should approve the region's borrowing as a whole and not rule on the allocation of the funds.

To meet current needs, local municipalities should be empowered to undertake short-term borrowing because the intake of tax revenue is not continuous.

The Proposed System and the 12 Principles

How do the recommendations stand up against the 12 principles?

The new system is adaptable only to a certain extent (principles 1 and 10), but it is intended only to deal with the next ten to twenty years (until the second local government review). Its internal boundaries have been drawn to be consistent with the recommended future restructuring as far as this can be predicted.

Principles 2, 8 and 9, effective co-ordination of major services coupled with flexibility at the local level are met by concentrating the major services under the regional council, retaining local councils, and creating urban service districts.

Haldimand-Norfolk is not an ideal geographical unit for local government. It is an artificial entity whether considered in terms of its internal structure (principle 3) or the structure of central southwestern Ontario (principle 6). The new local municipalities have been designed to fit the internal structure as far as possible, but full reconciliation of local government boundaries will have to await the second local government review recommended earlier.

Accessibility and responsiveness (principle 4) are met through the consitution of the regional council, the abolition of most appointed boards and commissions, the creation of elected urban boards, and the regional information service. Unfortunately, because there will be fewer councils, opportunities for citizens to participate (principle 12) will be somewhat diminished. The urban boards will offset this to some extent.

Clarity and comprehensibility (principle 5) are less well met. This failing is inherent in the two-tier system. Decentralization of regional services and the information service should help overcome this drawback somewhat.

Given the region's population, and the diversity of its character and interests, the new system should give it as much strength as is possible (principle 7).

Historic identities, local loyalties and the wishes of the public (principle 11) have been respected to the fullest extent that can be considered realistic. There will undoubtedly be objections, both on the grounds that the recommendations go too far in this respect and that they do not go far enough. If so, they are probably in fact a reasonable compromise between respect for tradition and recognition of the need for reform.

The Future

In principle, the "unitary", or one-tier, system of municipal government coupled with "community boards" (a general application of the urban board) seems preferable to the two-tier system. (See Chapter 6 of the full report for an analysis of alternatives.) The recommendations in this report, therefore, are intended to provide a rational basis for reorganization into a unitary structure if the second local government review finds this desirable.

Transition

Regional government in Haldimand-Norfolk will be big business compared to any of its predecessors. Sound administrative organization, practices, and procedures should be set up from the beginning. There is much expertise within the Ministry of Treasury, Economics and Intergovernmental Affairs on which to draw. An outside opinion, too, would be extremely helpful. Consideration should therefore be given to hiring a consultant with experience in both municipal and business management to suggest areas in which established procedures might be improved, complemented or replaced. A working party of government people and consultants should be set up to handle the details of the transition.

One of the matters such a working party would have to consider is the reallocation of municipal employees. Every municipal employee should be entitled to employment comparable to his or her previous position with pay and benefits no lower than previously. The appropriate unions should be consulted about any reallocations.

Time will be needed to gain popular support and local political agreement on municipal reorganization in Haldimand-Norfolk. Therefore, everyone concerned, especially the Joint Study Committee, should be given ample opportunity to consider the recommendations in this report and express their opinions. On the other hand, there is no time to be lost. Stelco's plant will probably be in production about 1980. Although implementation of the recommendations in Threshold of Change 1: Land and Development will "hold the fort", the new regional government should take over the reins as soon as possible.

The citizens of Haldimand-Norfolk are in a rather enviable position. While they are faced with the prospect of large-scale urban development, the slate is still relatively clean. Haldimand-Norfolk does not face the problem of correcting a multitude of past mistakes as do many other areas which developed in earlier periods. The people of Haldimand-Norfolk have the opportunity to take part in establishing strong, effective local government equal to the challenges which lie ahead of them.

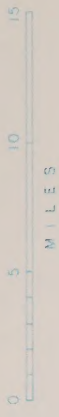
Chart 1. General Allocation of Municipal Responsibilities
(for detailed description see text)

	Local	Local: may be carried out wholly or partly by regional municipality	Local, subject to right of regional council to assume	Local, subject to regional approval	Local and regional	Regional: may be carried out wholly or partly by local municipalities	Regional, subject to local rights	Regional
ADMINISTRATION								
General; purchasing; personnel; legal; accounting		•			•			
Election administration	•							
"Static" business licensing	•							
Other licensing							•	
Collection of fines	•					•		
FINANCE								
Financial plan and budgeting					•			
Property taxation; tax billing; capital borrowing							•	
PLANNING AND DEVELOPMENT								
Official plans; zoning, consents (severances); subdivision control; industrial and commercial development						•		
Minor zoning variance	•							
Urban renewal				•				
Rural development				•				
PUBLIC WORKS, UTILITIES								
Water supply, distribution; sanitary, storm, trunk sewers; sewage treatment; garbage disposal							•	
Supply of electricity to consumers; street cleaning; garbage collection; land drainage								•
New or extended drainage schemes				•				
Lighting, construction, maintenance of sidewalks on local roads and streets			•					
Lighting, construction, maintenance of sidewalks on regional roads						•		
TRAFFIC AND TRANSPORTATION								
Construction, maintenance and traffic control, regional roads							•	
Construction, maintenance and traffic control, local roads and streets			•					
Off-street parking								•
Public transportation			•		•			
PUBLIC PROTECTION								
Police; emergency measures; coordination of fire protection	•							
Enforcement of regional by-laws (other than building and related by-laws)	•							
Enforcement of local by-laws			•					
Fire protection								•
HEALTH, SOCIAL SERVICES, HOUSING								
Public health; pollution control; child and public welfare; care of indigents; public housing; homes for the aged	•							
RECREATION, COMMUNITY FACILITIES, CONSERVATION								
Parks; community and recreation centres and programmes; grants for above					•			
Conservation	•							
Libraries								•
MISCELLANEOUS								
Building and related by-laws and standards	•							
Building and related by-law enforcement, inspection, permits						•		
Animal control; nuisance abatement; maintenance of cemeteries; etc.								•
PUBLIC INFORMATION	•							

Chart 2. Representation on Regional Council
(Formulae A and B)

Initial						Assumed for 1985				
Local Municipalities (with recommended changes in boundaries)	1971 Population	No. of representatives on regional council		No. of persons per representative		Population range — 1985	Maximum no. of represen- tatives on regional council		Range of population per representative	
		A	B	A	B		A	B	A	B
West Norfolk	11,670	2	2	5,800	5,800	15,000-20,000	2	3	7,500-10,000	5,000-6,700
Central Norfolk	14,838	2	2	7,400	7,400	20,000-25,000	3	4	6,700- 8,300	5,000-6,200
Simcoe	12,050	2	2	6,000	6,000	25,000-30,000	4	5	4,200- 7,500	5,000-6,000
Nanticoke Creek	18,932	2	3	9,500	6,300	55,000-60,000	10	11	5,500- 6,000	5,000-5,400
Central Haldimand	10,828	2	2	5,400	5,400	15,000-20,000	2	3	7,500-10,000	5,000-6,700
East Haldimand	11,048	2	2	5,500	5,500	15,000-20,000	2	3	7,500-10,000	5,000-6,700
Total	79,366	12	13				23	29		

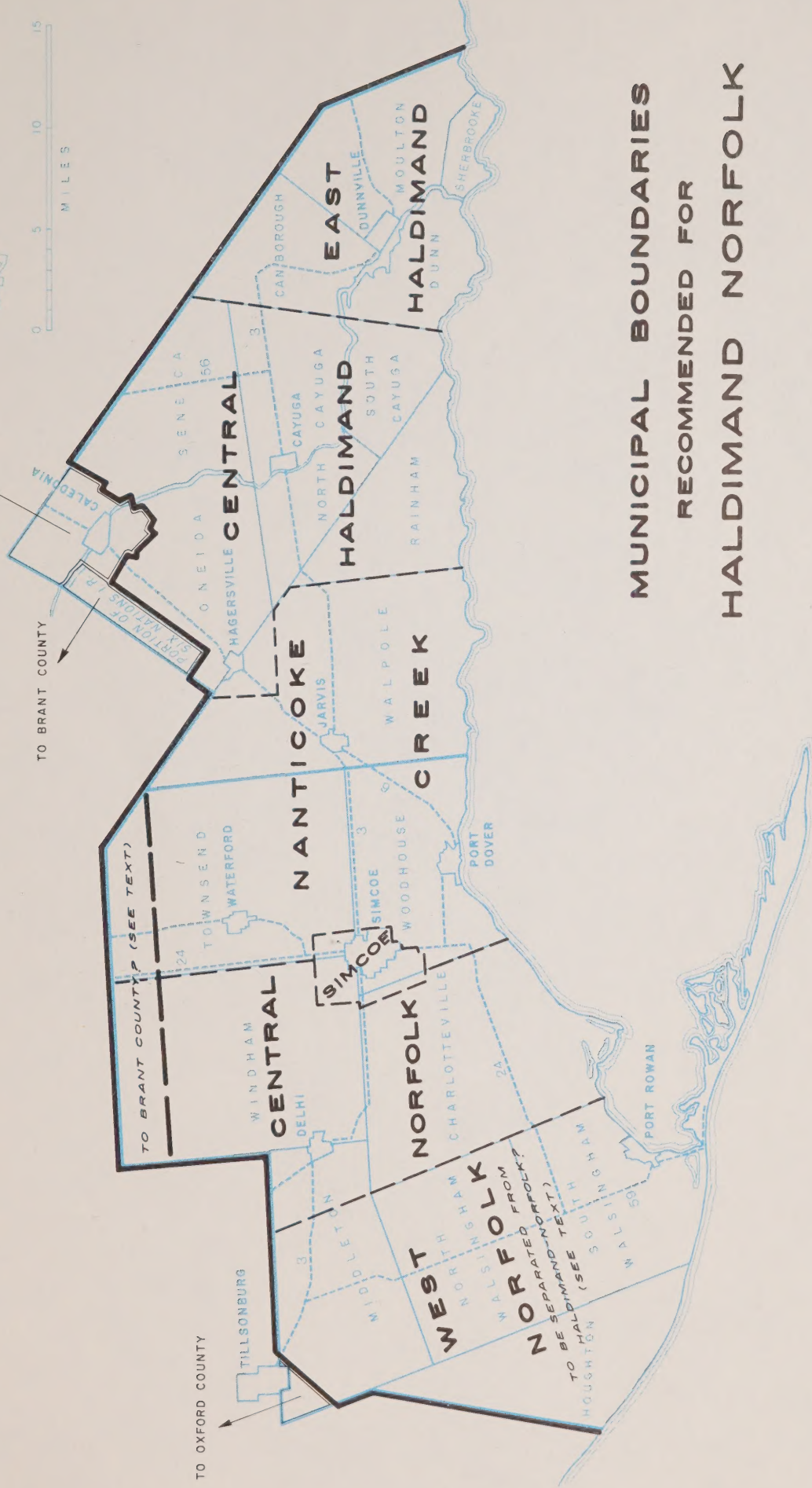
TO THE MUNICIPALITY OF
METROPOLITAN HAMILTON



TO BRANT COUNTY

TO BRANT COUNTY (SEE TEXT)

TO OXFORD COUNTY



L A K E E R I E

MUNICIPAL BOUNDARIES RECOMMENDED FOR HALDIMAND NORFOLK

